

Remarks

The Office Action rejected the claims under 35 USC § 103. Applicants request reconsideration and withdrawal of the rejection.

Election of Species

At least independent claims 1 and 19 remain generic to all of the Species described in the Office Action dated July 16, 1999.

Claim Rejections – 35 USC § 103

The Office Action rejected claims 1-6 and 19-23 under 35 USC § 103 as being obvious over European Patent Application EP 0 710 618 A2 (hereinafter “Aulanko”) in view of U.S. Patent numbers 1,477,886 to Lewis (hereinafter “Lewis”) and 3,101,130 to Bianca (hereinafter “Bianca”). The rejection was improper and must be withdrawn. Specifically, the rejection failed to establish a *prima facie* case of obviousness for at least two reasons.

The first reason is that no motivation exists to combine Aulanko and Lewis. The independent claims 1 and 19 describe an elevator system with a flat belt that “suspend[s] the elevator car and counterweight”. The Office Action states that while Aulanko fails to describe this feature, Lewis does disclose this feature. This is incorrect.

Lewis states that its inventive belt is “generally applicable to belting ... of the ... elevator type.” This cryptic statement, despite the inference by the Examiner, does not indicate that the belt is suitable for suspending a car and counterweight. In fact, one of ordinary skill in the art

would clearly recognize the undesirability of using a fabric and rubber element to suspend an elevator car and counterweight. Instead, one of ordinary skill in the art would recognize that the belt in Lewis is likely intended for other purposes in an elevator system. For example, the Lewis belt could be used to open the elevator doors. For at least this reason, the rejection was improper and must be withdrawn.

The second reason is that the combination of Aulanko and Bianca would render Aulanko unsuitable for its intended purpose. Aulanko states that prior machines are "rather large" and that "a large distance has to be provided between the cabin path and the shaft wall." The inventive concept of Aulanko is a machine "of a flat construction as compared to its width". The combination of references proposed by the Examiner would revert Aulanko back to a design that Aulanko was meant to avoid. The combination proposed by the Examiner would require turning the Aulanko machine ninety (90) degrees. This, however, would have the machine (since it is generally flat, but large in radius) extend into the vertical space occupied by the elevator car, and possibly cause a conflict with the elevator car. In light of the foregoing, Applicants request that the Examiner reconsider and withdraw this rejection.

The Office Action rejected claim 8 under 35 USC § 103 as being obvious over Aulanko in view of Lewis and Bianca, further in view of U.S. Patent number 5,469,937 (hereinafter "Hakala"). As discussed above, the rejection of independent claims 1 and 19 was improper. For at least this reason, the rejection of dependent claim 8 must be withdrawn. Hakala and the remaining art of record fail to overcome the shortcomings of Aulanko, Lewis and Bianca. Applicants request that the Examiner reconsider and withdraw this rejection.

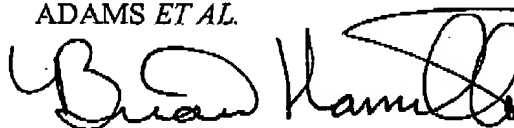
Conclusion

Applicants assert that the present application has overcome all of the rejections in the Office Action and is now in condition for allowance. Applicants request that the Examiner reconsider and withdraw the objections and rejections, and provide a notice of allowability in the next communication.

Applicants do not believe any fees are due in connection with this Amendment. Nevertheless, Applicants authorize the Commissioner to charge any fees that may be due under 37 CFR §§ 1.16 or 17 and to credit any overpayments to Deposit Account Number 15-0750, Order Number OT-4328.

Respectfully submitted,

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